

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

IN RE: SHERRY LYNN CALDWELL,	{	CHAPTER 13
	{	
	{	
DEBTOR(S)	{	CASE NO. R20-40374-BEM
	{	
	{	JUDGE ELLIS-MONRO

**OBJECTION TO CONFIRMATION**

COMES NOW MARY IDA TOWNSON, TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor(s)' payments under the proposed plan are not current.
2. Sections 2.2 and 2.3 of the proposed chapter 13 plan fail to make a selection.
3. The Debtor has failed to provide adequate notice to the Georgia Department of Revenue and the Internal Revenue Service, in violation of 11 U.S.C. Section 342.
4. The schedules provide that Regions Mortgage has a secured claim(s); however, the Chapter 13 Plan fails to provide for said creditor(s).
5. The Chapter 13 petition fails to include debts owed to Carvana, LLC and GM Financial, in violation of Bankruptcy Rule 1007(a)(1) and 11 U.S.C. Section 1325(a)(3).
6. The proposed plan fails to provide for the treatment of Carvana, LLC and GM Financial. However, said creditors have filed secured claims.
7. The proposed Chapter 13 budget contains expenses that appear to be excessive and/or unnecessary for the support and maintenance of the Debtor(s) and Debtor's dependents while proposing a composition plan, in violation of 11 U.S.C. Section 1325(b)(1)(B) and Section 1325(a)(3).
8. The Chapter 13 plan fails to provide for the surrender of a 2014 Nissan Rouge to GM Financial, in violation of 11 U.S.C. Section 1325(a)(5)(C).

Mary Ida Townson, Chapter 13 Trustee  
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Suite 1600  
Atlanta, GA 30303  
(404) 525-1110  
[maryidat@atlch13tt.com](mailto:maryidat@atlch13tt.com)

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

June 2, 2020

\_\_\_\_\_/s/\_\_\_\_\_  
Mary Ida Townson, Attorney  
Chapter 13 Trustee  
GA Bar No. 715063

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R20-40374-BEM

**CERTIFICATE OF SERVICE**

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

DEBTOR(S):

SHERRY LYNN CALDWELL  
2476 QUARLES ROAD  
ROCK FACE, GA 30740-9084

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

SAEGER & ASSOCIATES, LLC

This 2nd day of June, 2020

                    /s/                      
Mary Ida Townson, Attorney  
Chapter 13 Trustee  
GA Bar No. 715063

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